

AUG 05 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Monte HANEY  
Petitioner,  
VS.  
DERRAL G. ADAMS, Warden  
Respondent.

CD7-4682-LRB(PR)  
Motion in opposition to the Deputy  
Attorney General's motion to file  
exhibits 3A-3B + 4A-4I under Seal.  
Fed. R. Crim. P. 47.

Petitioner is hereby filing a motion in opposition to the Deputy Attorney General Michele J. Swanson's motion to Seal Juror voir dire transcripts and Juror questionnaires. On 7-29-08 Petitioner Received in the U.S. mail the Deputy Attorney General's answer to Petitioner's writ of Habeas Corpus and a motion to file exhibits 3A-3B and 4A-4I under Seal. The Deputy Attorney General's excuse to Seal the exhibits is that they contain Personal information. Petitioner believes this is not a viable excuse to Seal the documents because the Petitioner is not seeking any Personal information and is only looking for the conversations Between Jurors, Potential Jurors and the trial Prosecutor. Petitioner needs the Juror voir dire transcripts and Juror questionnaires to Attach them to Petitioner's Pending traverse as exhibits. Petitioner believes that if the Court Grants the Deputy Attorney General's motion to Seal the documents "it would result in a fundamental miscarriage of Justice" to the Petitioner. Petitioner diligently Pursued the Juror voir dire transcripts in the State Courts But they were denied to the Petitioner. for the foregoing reasons the Deputy Attorney

SEE U.S. CONST XIV and CAL CONST. Art I § 28(d) relevant evidence shall not be excluded in any criminal Proceeding, including Pretrial and Post conviction motions and hearings.

1 General's motion to Seal exhibits 3A-3B and 4A and 4I  
2 should be Denied Pursuant to Local Rule of the court 79-5(e).  
3 Petitioner Respectfully Request that the court order the  
4 Deputy Attorney General to issue exhibits 3A-3B and 4A and  
5 4I of the Jury voir dire and Jury Questionnaire Proceedings to  
6 the Petitioner.  
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Dated: 7-30-08

Mark H. Hines  
in Pro Per

Monte L. Haney #07-12062 4A-2R-51  
Corcoran State Prison  
P.O. Box 3476  
Corcoran, CA 93212

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Monte L. Haney,  
Petitioner,  
v.  
Derral G. Adams, warden  
Respondent.

07-4682 CRB (PR)  
Motion For expansion of the  
Record Pursuant to  
FED. R. Crim. P. 47.

I the Petitioner Monte Haney am hereby filing a motion  
to Receive State Court Reporter's Juror Selection transcripts  
Exhibits 3A to 3B and challenged Juror Questionnaires  
Exhibits 4A-4I.

The reasons for this request are set forth in the  
accompanying declaration of the Petitioner, which is  
forwarded to the Court concurrently with this motion.

Dated 7-30-08

Monte Haney  
in Pro Per

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Monte L. HANEY  
Petitioner,  
v.  
Derral G. Adams, warden  
Respondent.

Declaration of Petitioner in  
Support of Motion for expansion  
of the Record.

1) On 7-29-08 Petitioner Received in the U.S. mail the Deputy Attorney Generals answer to Petitioners writ of Habeas corpus with a memorandum of Points and Authorities in support thereof.

2) Simultaneously, Plaintiff Received a motion from the Deputy Attorney General Requesting the Court to Seal Jury voir dire transcripts and Juror Questionnaires of the Petitioner's Jury trial.

3) the Jury voir dire transcripts and Juror Questionnaires are a Prerequisite to the legal issues in this matter and the Petitioner will need the Jury voir dire transcripts and Juror Questionnaires to use as exhibits attached to the traverse that Petitioner is preparing in this matter.

4) The Deputy Attorney General's excuse for sealing the aforementioned documents is that they contain Private Juror information.

5) any names, Addresses or Personal information on the Juror Questionnaires and Jury voir dire transcripts can be marked out with ink so the Petitioner will not obtain any Private Juror information.

6) Petitioner is not seeking any Private Juror

information and needs the Aforementioned documents to recall the conversation between the Potential Jurors and the trial Prosecutor.

7) Petitioner would like to bring to the attention of the court that when the honorable Judge Charles R. Breyer issued an order of service in this matter on 1-11-08 he ordered the Attorney General to serve on the Petitioner all portions of the state trial Record that are relevant to a determination of the issues presented by the Petition.

See order of service Page 3, Paragraph 3.

8) If Petitioner is denied the Jury voir dire transcripts and Juror Questionnaire Proceedings, Petitioner will be denied full and fair litigation in this matter.

I declare under Penalty of Perjury that the foregoing is true and correct.

Dated: 7-30-08

Mark Hauer  
in Pro Per



PROOF OF SERVICE BY MAIL

I, Monte HaneY, declare that I am over 18 years of age, and a party to the attached herein cause of action, that I reside at California State Prison at Corcoran, in the County of King, California.

My mailing address is: P.O. Box 3476 Corcoran, CA

93212

On 7-30, 2008, I delivered to prison officials for mailing, at the above address, the attached: motion to expand the Record and motion in opposition to the Deputy Attorney General's motion to file exhibits 3A-3B- and 4A and 4I under Seal.

6 Pages total Proof of Service included.  
in sealed envelope(s), with postage fully prepaid, and addressed to the following:

(1) clerk's office (2) \_\_\_\_\_

U.S. District Court - NO. Dist. of CA

450 Golden Gate Ave, 16<sup>th</sup> floor

San Francisco, CA 94102

(3) \_\_\_\_\_ (4) \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed this 30<sup>th</sup> day of July, 2008, at California State Prison, Corcoran.

Monte HaneY

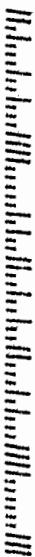
In Pro Per

BAKERSFIELD STATE  
MOLAI PRISON  
31 JUL 2008  
CORCORAN  
"LET US HAVE TO REMIND  
THINK, SPEAK AND  
JUDITH ADAMS, 1791  
42 USA

Attn: clerk of the court and the honorable  
Judge Charles R. Bryer.  
clerk's office  
U.S. District Court - N.D. Dist. of CA  
450 Golden Gate Avenue, 16th floor  
San Francisco CA 94102

# LEGAL MAIL

山本 陽子 山口 陽子



CA Penall Code 2601 Confidential Correspondance  
Legal Mail.

7-30-08

c/o B. H. H. H.